

**IN THE UNITED STATES DISTRICT COURT**

**FOR THE WESTERN DISTRICT OF TEXAS**

**WACO DIVISION**

**YOLANDA SALDIVAR,**  
**Petitioner,**

**vs.**

**RICK THALER, Director,**  
**TDCJ-CID,**  
**Respondent,**

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**Civil No. W-11-CA-058**

**ORDER**

This case was referred to the United States Magistrate Judge for the Western District of Texas, for findings and recommendations, pursuant to 28 U.S.C. § 636(b). The Court received the Magistrate Judge's Report, which was filed on February 17, 2012. Neither party has filed an objection to the report, thus barring either party from receiving a *de novo* review on appeal of the findings and recommendations. The Petitioner received a copy of the Report and Recommendation on February 24, 2012 but she has not filed any objections. See *Cay v. Estelle*, 789 F.2d 318 (5th Cir. 1986); *Nettles v. Wainwright*, 677 F.2d 404 (5th Cir. 1982).

The Magistrate Judge, in a careful and thorough review of the case and applicable law, has recommended that the Petitioner's writ of habeas corpus be denied. This Court, having reviewed this case, finds that the Magistrate Judge's findings and recommendation should be adopted. Accordingly,

**IT IS ORDERED** that the Magistrate's Findings and Recommendation is **ADOPTED**.

**IT IS FURTHER ORDERED** that the Petitioner's writ of habeas corpus is **DENIED**.

**IT IS FURTHER ORDERED** that any pending pre-trial motions are **DENIED** as moot in light of the Court's dismissal of this action.

**SIGNED** on this 16<sup>th</sup> day of April, 2012.

A handwritten signature in black ink, reading "Walter S. Smith, Jr.", is written over a horizontal line.

WALTER S. SMITH, JR.  
UNITED STATES DISTRICT JUDGE